



IFW

21/13

PATENT
Attorney Docket No.: AVARS-02200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2143
Michael A. Lloyd et al.)) Examiner: Nguyen, Phuoc H.
Serial No.: 09/903,423)) **TRANSMITTAL LETTER**
Filed: July 10, 2001)) 162 N. Wolfe Road
For: **SYSTEMS AND METHODS FOR**)) Sunnyvale, CA 94086
ROBUST, REAL-TIME)) (408) 530-9700
MEASUREMENT OF NETWORK)) Customer No.: 28960
PERFORMANCE))
)

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexàndria, VA 22313-1450

Sir:

Enclosed please find a Supplemental Information Disclosure Statement, a Certification pursuant to 37 C.F.R. § 1.97(e) for the Supplemental Information Disclosure Statement, and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

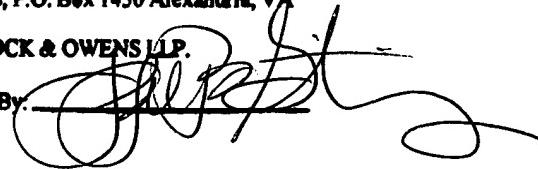
By: 
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(e))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 11-27-06 By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. Lloyd et al.

Serial No.: 09/903,423

Filed: July 10, 2001

For: **SYSTEMS AND METHODS FOR
ROBUST, REAL-TIME
MEASUREMENT OF NETWORK
PERFORMANCE**



) Group Art Unit: 2143
)
) Examiner: Nguyen, Phuoc H.
)
) **CERTIFICATION FOR**
) **SUPPLEMENTAL INFORMATION**
) **DISCLOSURE STATEMENT UNDER 37**
) **CFR § 1.97(e)**
)
) 162 N. Wolfe Road
) Sunnyvale, CA 94086
) (408) 530-9700
)
) Customer No.: 28960

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This certification is being made for the Supplemental Information Disclosure Statement accompanying this certification.

Certification

I, the person signing below, hereby certify that the printed publications contained in the enclosed supplemental information disclosure statement were cited within an Official Action mailed on October 24, 2006. Accordingly, I hereby certify that no reference contained within this supplemental information disclosure statement was cited in a communication from a foreign patent office in a related foreign application, and, to the knowledge of the person signing the statement, after making reasonable inquiry, no reference contained within this supplemental information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this supplemental information disclosure statement. 37 C.F.R. 1.97(e)(2).

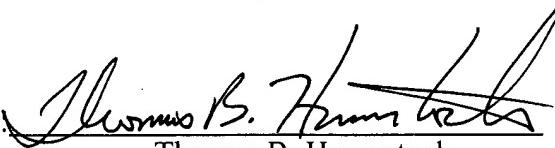
PATENT
Attorney Docket No.: AVARS-02200

Identification of Person Making Certification

The person making this certification is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 11-27-06

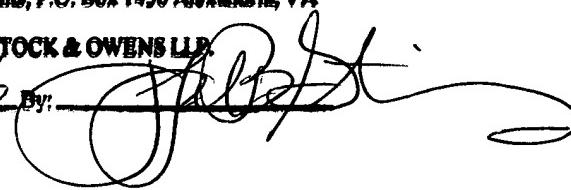
By: 
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP

Date: 11-28-06 By: 



PATENT
Attorney Docket No.: AVARS-02200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. Lloyd et al.

Serial No.: 09/903,423

Filed: July 10, 2001

For: **SYSTEMS AND METHODS FOR
ROBUST, REAL-TIME
MEASUREMENT OF NETWORK
PERFORMANCE**

) Group Art Unit: 2143
)
) Examiner: Nguyen, Phuoc H.
)
) **SUPPLEMENTAL INFORMATION**
) **DISCLOSURE STATEMENT**
)
) 162 N. Wolfe Road
) Sunnyvale, CA 94086
) (408) 530-9700
)
) Customer No.: 28960
)

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- U.S. Patent No. 6,711,152 B1;
- U.S. Publication No. 2001/0026537 A1;
- Nick Feamster et al., "Controlling the Impact of BGP Policy Changes on IP Traffic", November 6, 2001, pages 1-18;
- Dean Jones, "Developing Shared Ontologies in Multi-Agent Systems", pages 1-10; and
- L. Massoulié et al., "Arguments in favour of admission control for TCP flows", pages 1-16.

PATENT
Attorney Docket No.: AVARS-02200

This Supplemental Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that anyone or more of these citations constitutes prior art.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 11-27-06

By: 
Thomas B. Haverstock
Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR§ 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Date: 11-28-06 
HAYERSTOCK & OWENS LLP

FORM PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No.: AVARS-02200	Serial No.: 09/903,423			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use Several Sheets If Necessary) (37 CFR § 1.98(b))				Applicant: Michael Lloyd et al.				
				Filing Date: 07/10/2001	Group Art Unit: 2143			
DEC 01 2006 U.S. PATENT DOCUMENTS								
Examiner Initials	PATENTS SEARCHED INDEXED MAILED READEM PAP-A3	Serial / Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date	
	AA	6,711,152 B1	03/23/2004	Kalmanek, Jr. et al.	370	351	07/06/1999	
	AB	US 2001/0026537 A1	10/04/2001	Massey	370	316	02/23/2001	
	AC							
	AD							
	AE							
	AF							
	AG							
	AH							
	AI							
	AJ							
	AK							
	AL							
	AM							
	AN							
	AO							
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS								
		Document Number	Publication Date	Country / Patent Office	Class	Subclass	Translation	
	AP						Yes	No
	AQ							
	AR							
	AS							
	AT							
OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	AU	Nick Feamster et al., "Controlling the Impact of BGP Policy Changes on IP Traffic", November 6, 2001, pages 1-18.						
	AV	Dean Jones, "Developing Shared Ontologies in Multi-Agent Systems", pages 1-10.						
	AW	L. Massoulié et al., "Arguments in favour of admission control for TCP flows", pages 1-16.						
	AX							
	AY							
	AZ							
	BA							
	BB							
	BC							
Examiner:				Date Considered:				
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								